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Employees of ACE American Insurance Company, a Chubb Company

**MEMO ENDORSED**

OF COUNSEL  
ALAN J. HARRIS  
BHAVLEEN K. SABHARWAL  
JAMES C. GROSSO

August 14, 2023

***By Electronic Mail***

Hon. Valerie E. Caproni  
United States District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007-1312

Re: VELASQUEZ V. 11 HANOVER GROUP LLC d/b/a SELENE RESTAURANT  
United States District Court, Southern District of New York  
Civil Action Case No. 1:23-cv-01397

Dear Judge Caproni:

This office represents the defendant 11 Hanover Square Corp. in the above-referenced litigation. We write to correct the Court's record as to our representation, as we filed a Notice of Appearance on behalf of both defendants (the other being 11 Hanover Group, LLC d/b/a Selene Restaurant) in this matter. This was inadvertent and the result of office error. Counsel for Defendant Selene Restaurant and Plaintiff were made aware of this error previously and we request the Court order our appearance on behalf of only 11 Hanover Square Corp to be reflected on the Court's docket.

In addition, we are requesting an extension to September 1, 2023, in which to either file the stipulation of dismissal or request the matter be reopened. This is the first request to extend this deadline and Plaintiff consents to this request.

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/15/2023

Hon. Valerie E. Caproni  
United States District Judge  
**Re: *Velasquez v. 11 Hanover Group, LLC et al.***  
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Thank you for your attention to this matter.

Very truly yours,  
EUSTACE, PREZIOSO & YAPCHANYK



Anthony J. Tomari

AJT:ajt

cc/ECF: The Weitz Law Firm, P.A.

Application DENIED without prejudice.

All parties, including 11 Hanover Group LLC (the "LLC Defendant"), are directed to appear for a status conference on **August 25, 2023**, the date of the scheduled initial pretrial conference. *See* Dkt. 14. The LLC Defendant must appear with counsel who has filed a notice of appearance. *See Lattanzio v. COMTA*, 481 F.3d 137, 140 (2d Cir. 2007) (a legal entity cannot appear in federal court without a licensed attorney). If the LLC Defendant fails to appear with counsel, Plaintiff will be ordered to either move for default judgment or dismiss the case against it.

The Clerk of Court is respectfully directed to REOPEN this case for the limited purpose of holding the August 25, 2023 status conference. The Clerk is further directed to terminate Anthony Tomari as counsel for Defendant 11 Hanover Group LLC.

The LLC Defendant's deadline to move, answer, or otherwise respond to the Amended Complaint remains stayed until **August 25, 2023**, the date of the parties' initial pre-trial conference.

Plaintiff is directed to serve a copy of this endorsement on the LLC Defendant and file proof of service on the docket by no later than **August 17, 2023**.

SO ORDERED.



Date: 8/15/2023

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE